

**VIRGINIA:**

**BEFORE THE BOARD OF OPTOMETRY**

**IN RE:       ROBERT FORNILI, O.D.**  
**License No.: 0601-001043**  
**Complaint No.: 96-01316 (55492)**

**ORDER**

Pursuant to §§ 9-6.14:11 and 54.1-2400(10) of the Code of Virginia (1950), as amended, a Special Conference Committee ("Committee") of the Virginia Board of Optometry ("Board"), composed of Charles W. Harrill, O.D., and Thomas R. Cheezum, O.D., met with Robert Fornili, O.D., on February 20, 1998, in Henrico County, Virginia. Dr. Fornili was present and was not represented by counsel. The purpose of the informal conference was to receive and act upon evidence concerning the allegations in the Notice of Informal Conference dated January 21, 1998.

**FINDINGS OF FACT**

After consideration of the evidence and statements concerning the allegations, the Committee makes the following Findings of Fact:

1.       Robert Fornili, O.D., holds license number 0601-001043 issued by the Virginia Board of Optometry.
2.       From approximately September 5, 1995 to October 29, 1996, during the course of his employment with J. S. Galeski, Jr., O.D., P.C.II ("Galeski"), and as a contract employee of Galeski with Pratt Medical Center for Virginia Eye Consultants, Fredericksburg, Virginia, Dr. Fornili practiced optometry indirectly as an employee of a commercial and mercantile establishment. Specifically, he practiced optometry for the S. Galeski Optical Company, Fredericksburg, Virginia, a non-grandfathered commercial and mercantile establishment.

**CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Committee concludes that Robert Fornili, O.D., has violated § 54.1-3205(A) and (B) and § 54.1-3215 (15) of the Code of Virginia (1950), as amended.

**ORDER**

WHEREFORE, on the basis of the foregoing Findings of Fact, Conclusions of Law, it is hereby ORDERED that Robert Fornili, O.D., be, and hereby is REPRIMANDED. It is further ORDERED that:

1. Dr. Fornili shall be assessed a monetary penalty of Five Hundred Dollars (\$500.00), said penalty to be paid to the Board by certified check or money order, if mailed, by certified or registered mail, within thirty (30) days from the date this Order becomes final. If said monetary penalty is not received within the prescribed deadline, an additional One Hundred Dollar (\$100.00) late fee shall be assessed weekly, up to a maximum of One Thousand Dollars (\$1000.00). Failure to pay the full monetary penalty plus the additional assessment within one hundred (100) days from the date this Order becomes final shall constitute grounds for an administrative proceeding.

2. Dr. Fornili shall cease and desist the practice of optometry in violation of § 54.1-3205(A) and (B) of the Code of Virginia (1950), as amended.

3. Dr. Fornili shall provide the Board with a copy of his current lease agreement for review within thirty (30) days from the date this Order becomes final. In the event that any such review reveals a possible violation of the laws or regulations pertaining to the practice of optometry in the Commonwealth of Virginia, the Board specifically reserves the right to conduct further proceedings in this matter.


R. Fornili, O.D.

4. Dr. Fornili shall maintain a course of conduct commensurate with the requirements of Chapter 32, Title 54.1 of the Code of Virginia (1950), as amended, and the Regulations of the Board of Optometry.

Pursuant to § 54.1-2400(10) of the Code of Virginia (1950), as amended, this Order shall become final thirty (30) days after service unless a written request for a hearing before the Board is filed with Elizabeth A. Carter, Ph.D., Executive Director, Board of Optometry. In the event that this decision is served by mail, three (3) days shall be added to the thirty (30) day period.

Pursuant to § 9-6.14:14 of the Code of Virginia, the signed original of this Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

FOR THE BOARD:

  
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Elizabeth A. Carter, Ph.D.  
Executive Director

ENTERED: 5/12/98